

SUBCHAPTER N : HOUSEHOLD MATERIALS WHICH COULD BE CLASSIFIED AS HAZARDOUS WASTES

§335.401. Purpose.

The purpose of this subchapter is to provide requirements for interested persons to engage in activities which involve the collection, disposal, or recycling of hazardous household wastes and other types of household waste materials that may, due to their quantity and characteristics, pose a potential endangerment to human health or the environment if improperly handled. The Texas Department of Health and the Texas Water Commission agree to establish and maintain a cooperative effort with regard to providing regulation and direction for hazardous household waste collection programs so as to insure that waste aggregated as a result of such programs is properly handled and disposed of in a safe manner.

§335.402. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise:

Aggregate - The act of bringing together hazardous household waste that, after being separated from other household waste, is collected from two or more households and accumulated at a collection center or transporter's facility for the purpose of disposing of or recycling the waste.

Collection center - A designated site and areas within that site used or planned for use by an operator to aggregate hazardous household waste delivered to the site by individuals, households or collectors.

Collector - Any person who accepts directly from two or more households any unmanifested waste materials that have been separated from other household waste and offered to the collector because the generator either knows or considers the materials to be hazardous household waste.

Commission - The Texas Water Commission.

Department - The Texas Department of Health.

Division - The Division of Solid Waste Management, Texas Department of Health.

Hazardous household waste - Any solid waste generated in a household by a consumer which, except for the exclusion provided in 40 Code of Federal Regulations §261.4(b)(1), would be classified as a hazardous waste under 40 Code of Federal Regulations Part 261.

Hazardous waste processing, storage or disposal facility - A hazardous waste processing, storage or disposal facility that has received an Environmental Protection Agency (EPA) permit (or a facility with interim status) in accordance with the requirements of 40 Code of Federal Regulations Parts 270 and 124 or that has received a permit from a state authorized in accordance with 40 Code of Federal Regulations Part 271.

Household - Single and multiple residences, hotels and motels, bunkhouses, ranger

stations, crew quarters, campgrounds, picnic grounds, and day-use recreational areas.

Recurring collection program - An organized effort to collect and/or aggregate hazardous household waste in a community at scheduled intervals, at least annually.

§335.403. Authority.

(a) Authority of the Texas Department of Health. The Texas Department of Health (the department) is the state agency having responsibility for regulation of non-hazardous municipal solid waste. The department and the commission agree that the department has primary regulatory authority over hazardous household waste; persons who provide point of generation pick-up of hazardous household waste; and persons who establish and operate hazardous household waste collection centers, other than those located at established hazardous waste processing, storage or disposal facilities which are regulated by the Texas Water Commission (the commission). The following regulatory portions of this subchapter shall be primarily implemented and enforced by the department:

(1) §335.406(a)-(c) of this title (relating to General Requirements for Collectors and Operators);

(2) §335.407(a)-(f) of this title (relating to Operation of Collection Centers);

(3) §335.408 of this title (relating to Household Pick-Up);

(4) §335.410 of this title (relating to Reuse of Collected Material), except in those cases where the collector or operator determining the reuse suitability of the collected material is the owner/operator of a hazardous waste processing, storage or disposal facility; and

(5) §335.411(b) of this title (relating to General Requirements for Transporters).

(b) Authority of the Texas Water Commission. The Texas Water Commission is the state agency having responsibility for regulating hazardous waste as defined by the United States Environmental Protection Agency in 40 Code of Federal Regulations Part 261. Except for collected materials being used or planned to be used or reused in accordance with §335.410 of this title (relating to Reuse of Collected Material), all hazardous household waste once collected and aggregated at a collection center or at a transporter's facility shall be transported only by hazardous waste transporters and shall be shipped only to authorized hazardous waste processing, storage or disposal facilities. The department and the commission agree that the commission has regulatory authority over persons transporting hazardous household waste that is required when shipped to be accompanied by a manifest, and over all aspects of solid waste management conducted at a hazardous waste processing, storage or disposal facility. Accordingly, the following regulatory portions of this subchapter shall be primarily implemented and enforced by the commission:

(1) §335.406(d) of this title (relating to General Requirements for Collectors and Operators);

(2) §335.407(g) of this title (relating to Operation of Collection Centers);

(3) §335.410 of this title (relating to Reuse of Collected Material), except in those cases where the collector or operator determining the reuse suitability of the collected material is subject to the requirements of §335.406(a)-(c) of this title (relating to General Requirements for Collectors and Operators);

(4) §335.411(a) of this title (relating to General Requirements for Transporters); and

(5) §335.412 of this title (relating to General Requirements for Processing, Storage or Disposal Facilities).

(c) Joint Authority. The department and commission shall jointly implement, and each may enforce as appropriate, the requirements contained in §335.409 of this title (relating to General Shipping, Manifesting, Recordkeeping and Reporting Requirements).

§335.404. Interagency Coordination.

(a) The department shall serve as the lead agency with regard to the regulation of organized hazardous household waste collection and point of generation pick-up programs in the state. The department also shall be the lead agency with regard to the assurance of proper handling of hazardous household wastes at collection centers or transporter facilities, other than at hazardous waste processing, storage or disposal facilities regulated by the commission.

(b) The division shall be the point of contact between collectors or operators subject to the requirements of §335.406(b) and (c) of this title (relating to General Requirements for Collectors and Operators) and the commission. The division also shall provide the collectors and operators the necessary forms, identification numbers, waste codes and special instructions from the commission concerning transportation and ultimate disposition of aggregated hazardous household waste.

(c) The department in adopting these rules, concurs in the processing, storage, disposal, or recycling of hazardous household waste at a hazardous waste facility that has written authorization from the commission to receive such waste.

§335.405. Applicability.

(a) This subchapter applies to persons who:

(1) collect and/or aggregate hazardous household waste for disposal or recycling;

(2) are involved in the point of generation pick-up of hazardous household waste that has been separated by the generator from other solid wastes;

(3) operate hazardous household waste collection centers;

(4) transport any hazardous household waste required by this subchapter to be manifested; and

(5) own or manage a hazardous waste processing, storage or disposal facility that

receives manifested hazardous household waste.

(b) The rules of this subchapter do not apply to individuals who receive from households, for the purpose of recycling or reclamation, used oil or lead acid batteries, provided such individuals do not operate a collection center for other hazardous household waste or other household wastes that fall under the purview of this subchapter.

§335.406. General Requirements for Collectors and Operators.

(a) Except as provided in subsection (d) of this section, no person may engage in any activity to collect or aggregate hazardous household waste that has been segregated from other solid waste without having first notified the Division of Solid Waste Management, Texas Department of Health (division), in accordance with subsection (b) of this section and without having submitted to the division an operational plan as provided for in subsection (c) of this section. The department may waive the requirements of this section for programs scheduled to be implemented within six months of the date these rules become effective, provided the collector or operator requests such waiver in writing.

(b) The notification shall be submitted 90 days prior to the expected collection date, by letter or on a form provided by the department. It shall include the following information:

- (1) name and address of the operator;
- (2) name, address and telephone number of an individual to be the contact person for the operator;
- (3) date of planned collection;
- (4) areas that are planned to be covered by the collection effort, i.e., city, county, precinct, neighborhood, district, region, etc.;
- (5) a conceptual organization of the collection effort with names of persons or groups providing support and identities of all organizations or groups involved together with the operator in any advertising, public service campaigns, or other public information efforts; and
- (6) details regarding any planned public information efforts concerning the dangers or risks associated with hazardous household waste, the need or desirability of separating such waste from other household waste, and the procedures for delivery of hazardous household waste to the collection center.

(c) The collector or operator shall submit to the division a complete operational plan not less than 45 days prior to collection day. Collectors or operators conducting recurring collection programs need not submit a plan for the second and subsequent operations provided the original or a revised plan has been previously submitted and remains in effect. The plan shall be prepared in format and content

as described in paragraphs (1)-(12) of this subsection or as otherwise specified by the division. Changes to the plan may be made after consultation and coordination with the division.

(1) The plan shall be in a typewritten report form (except for maps and drawings) on 8 ½ inches by 11 inches white paper, all materials in excess of 8 ½ inches by 11 inches shall be folded to that size. Undersized materials shall be mounted on 8 ½ inches by 11 inches paper, and the report stapled in the upper left-hand corner or bound along the left margin. All folded material shall be affixed so it can be unfolded without removing binders.

(2) The title page shall show the name of the project, the location by city and county, name of responsible person and date of plan.

(3) The table of contents shall list the main sections of the plan.

(4) The plan shall identify the nature, type, and quantity of hazardous household waste and other household wastes proposed for collection and disposal and include a brief description of the general sources and generation areas contributing wastes.

(5) If the waste is to be collected from households by a point of generation pick-up service, the plan shall describe in detail how this is to be done.

(6) The plan will describe the approximate number of residences, institutions (identify types) and business establishments within 300 feet of the proposed collection center, including the distances and directions to the nearest residence, institution or business.

(7) Information relating to adequacy of roads or streets to be used to enter or exit the collection center shall be submitted as part of the plan.

(8) The plan shall identify the type and location of fences or other means of access control to protect the public from exposure to potential health and safety hazards and to discourage unauthorized entry.

(9) The following operational concepts shall be discussed in detail:

(A) the storage of waste at the collection center;

(B) provisions for inclement weather operation, e.g., alternate collection site, or alternate collection day, etc.;

(C) provisions for wastes requiring special handling and for wastes that are identified as non-hazardous;

(D) provisions for classifying and controlling the wastes;

(E) procedures to ensure that unauthorized waste, i.e., hazardous waste (or Class I industrial solid waste) from industries, businesses or institutions subject to regulations of the commission, is not accepted as hazardous household waste;

(F) fire control measures, e.g., availability of local fire departments and on-site fire fighting equipment;

- (G) spill control measures and cleanup procedures;
- (H) the minimum required number of personnel, their functions and their qualifications;
- (I) provisions for security, screening waste for acceptability, traffic control, and safety;
- (J) measures to control unloading within the collection center; and
- (K) the posting of signs at the collection center and enforcement of site rules.

(10) The operator shall provide information on the planned disposal of the waste collected, to include the transporter's name and the United States Environmental Protection Agency identification number, and the name, location and the United States Environmental Protection Agency identification number of the hazardous waste facility which is to be used for the processing, storage, disposal or recycling of the waste. The operator in developing the plan for disposal of waste to be received at the collection center should determine the feasibility of managing collected hazardous household waste in the following order of preference:

- (A) reuse and/or recycling of waste;
- (B) treatment to destroy hazardous characteristics;
- (C) treatment to reduce hazardous characteristics;
- (D) underground injection; and
- (E) land disposal.

(11) The operator shall provide information on planned disposition of materials that are accepted at the collection center that are in usable condition.

(12) The plan shall include the following attachments:

(A) Attachment 1 - General Location Map. This map should be all or a portion of a half-scale county map, prepared by the Transportation Planning Division of the State Department of Highways and Public Transportation, with the collection site marked and labeled thereon in a manner that will facilitate determining the general location of the site and roadway access. If the site is located within a city, a city map may be used for this purpose.

(B) Attachment 2 - Planimetric Map. This will normally be a constructed map showing the features of the collection center. It need not be drawn to scale but the improvements and boundaries should fairly represent the collection center area. The map should be annotated to show flow of traffic, unloading points, location of emergency vehicles, and classification and storage areas.

(C) Attachment 3 - Evidence of Financial Responsibility. Collectors or operators other than governmental entities shall submit evidence of financial responsibility which assures the department that sufficient assets are available to properly operate the collection center, enable appropriate shipment and disposal of the waste and to provide for proper closure of the collection center. The amount and type of financial assurance shall be determined by the division after discussing the scope of the collection effort with the operator.

(D) Attachment 4 - Evidence of Competency. Evidence of competency to operate the center shall be provided, to include experience and qualifications of key personnel.

(E) Attachment 5 - Responsible Party's Statement. The operator or the authorized representative empowered to make commitments for the operator, shall provide a statement that he or she is familiar with the operational plan and is aware of all commitments represented in the plan and that he or she is also familiar with all pertinent requirements in these regulations and agrees to develop and operate the site in accordance with the regulations and any special written instructions from the division.

(d) Owners or operators of hazardous waste processing, storage or disposal facilities who accept or intend to accept unmanifested hazardous household waste directly from household waste generators or their representatives are not subject to the requirements of this section, provided that prior to first accepting such waste they notify the executive director of the Texas Water Commission in writing concerning their intention to accept such waste, and in the notification indicate:

(1) their Texas Water Commission Registration Number and Environmental Protection Agency Identification Number;

(2) the date they intend to start receiving such hazardous household waste;

(3) the kinds of hazardous household waste and other household waste they intend to accept;

(4) the types or classes of waste that will not be accepted;

(5) the information to be required from each generator so as to enable proper classification and handling of waste;

(6) how they intend to handle on-site wastes which may be accepted and what the ultimate disposition of the wastes will be;

(7) the methods and procedures to be utilized so as to assure that only household waste is accepted; and

(8) the identities of all organizations or groups involved together with the notifier in any advertising, public service campaigns, or other public information efforts concerning the dangers or risks associated with hazardous household waste, the need or desirability of separating such waste from other household solid waste, and the procedures by which the household waste generator may deliver his or her hazardous household waste to the notifier's facility.

§335.407. Operation of Collection Centers.

(a) Minimum requirements. Except as provided in subsection (g) of this section, collection centers established for the purpose of accepting and aggregating hazardous household waste must be operated so as to comply with the minimum requirements set forth in subsections (b)-(f) of this section.

(b) Location. Collection centers shall be located, organized and operated so as to safeguard the health, welfare and physical property of the people, and to protect the environment. At a minimum, collection centers shall:

(1) be located based on the types and quantities of waste to be collected and suitability of the site for collecting such waste;

(2) provide parking for the public and for essential project vehicles so as not to interfere with the safe entry and exit of traffic;

(3) whenever possible, be structured in a way that allows incoming wastes to be sorted upon arrival and placed in a controlled area for packaging;

(4) keep incompatible wastes separated, including unidentified wastes, while they are waiting to be packaged for further storage or transport;

(5) provide an area, not generally accessible to the public, for sorting, packaging, and handling waste that is accepted;

(6) have designated eating, drinking, and smoking areas for personnel working at the center (such activities shall be prohibited at the collection center work area);

(7) be prepared for the possibility of inclement weather; and

(8) have materials and procedures to control spills.

(c) Personnel. Personnel who work at the collection center shall be familiar with the operational plan. Other requirements pertaining to personnel utilized at the collection center are included in paragraphs (1)-(8) of this subsection.

(1) Personnel who sort and package waste, or who supervise these activities, for transport to a hazardous waste facility must be trained and knowledgeable concerning the incompatibility of various classes of waste and be qualified to package waste for transport.

(2) At least one person trained to classify hazardous waste and who is competent to perform tests to identify characteristics of hazardous waste (e.g., pH, flammability, etc.) shall be utilized at the collection center to accept or supervise the acceptance of waste at the center.

(3) Personnel involved with handling waste must be instructed in accident prevention, the proper response to fires, explosions, and spills, and in the use of protective devices (such as respiratory gear and gloves) to minimize exposure to hazardous household waste.

(4) Packaging and labeling of waste shall be supervised by a person familiar with the shipping requirements and hazardous waste manifest requirements of the U.S. Department of Transportation (DOT) for packaging, placarding and labeling of hazardous materials.

(5) At least one person must be on-site who is trained to perform general first aid and who is knowledgeable concerning safety measures to be taken in the event of an accidental contact with a hazardous household waste.

(6) An on-site supervisor must be available and responsible for initiating an emergency response plan that includes site evacuation procedures. The on-site supervisor also assumes responsibility for accepting any unidentified wastes and insuring proper handling and disposal.

(7) The on-site supervisor shall have the authority to remove anyone from the site and prohibit re-entry if it is determined that the person threatens site security or personnel safety.

(8) Manning of the collection center shall consist of an adequate number of persons who jointly possess the necessary skills and expertise needed to accept, sort, package, transport, and manifest the waste and be responsible for on-site supervision and public relations.

(d) Equipment and Materials. Equipment and materials shall be available at the collection center to provide protection, safety and first aid for persons operating the center, to contain and clean up spills, and to properly handle, classify, package and label the waste. All disposable cleanup materials and protective clothing used during a spill cleanup shall be handled as a hazardous household waste. Non-disposable equipment and materials that are used and contaminated shall be decontaminated before removal from the site. At a minimum, the provision for equipment and material shall include:

(1) a first aid kit available at each collection center and on each point of generation pick-up service vehicle;

(2) a method of communication in the event of a spill, personal injury, etc., at the site and in the point of generation pick-up vehicle. Such method of communication may include a telephone or a citizen's band (CB) radio;

(3) an eyewash, shower station or hosing device and fire extinguisher; and

(4) sufficient spill containment and absorbent materials at the collection center and on each point of generation waste collection vehicle to contain a spill of 10% of the anticipated volume of collected liquid waste.

(e) Waste Accepted and Excluded. The collection center should accept only household wastes. The operator shall take necessary precautions to prohibit the receipt of waste defined as a hazardous waste by the Solid Waste Disposal Act, Texas Civil Statutes, Article 4477-7; or as Class I industrial solid waste by the commission. Other requirements related to acceptance or exclusion of wastes are as follows:

(1) Any unidentified waste accepted shall be identified by a chemist or trained individual knowledgeable in chemical characteristics and incompatibilities before being packaged for transport. Wastes that cannot be identified by physical assessment or conversation with the generator or his representative may not be packaged until the substance or waste has been analyzed and the appropriate chemical class has been identified.

(2) Announcements and promotional material shall state that compressed gas or explosives (including ammunition) shall not be brought to the collection center. However, if such materials are brought to the collection center the staff should accept the waste and immediately contact the appropriate authorities, e.g., explosives experts, etc. to properly dispose of the waste.

(3) Decisions to accept certain wastes shall depend on the capabilities of the personnel collecting, sorting, and packaging the waste. A generic list of proposed wastes to be accepted must be submitted to the division with the operational plan. The list should be developed with the intent of minimizing the need for chemical analysis of unidentifiable wastes.

(4) Empty hazardous material and pesticide containers from households may be disposed of as a non-hazardous waste if they are rendered unusable before leaving the collection center.

(5) A container shall be provided at the collection center for collection and storage of waste received at the center, that because of quantity and characteristics, does not pose a potential endangerment to human health or the environment if disposed of in a municipal solid waste facility.

(f) Temporary Storage. Storage at the collection center, or other site identified in the operational plan, shall be operated and maintained so as to provide safe handling and storage of waste awaiting final disposition. The facility shall be secured to control access by the public. Operators shall comply with paragraphs (1)-(3) of this subsection when storing aggregated hazardous household waste.

(1) An operator shall not store aggregated hazardous household waste longer than 10 days except under one of the conditions described in subparagraphs (A)-(C) of this paragraph.

(A) The storage facility is an authorized hazardous waste processing, storage or disposal facility.

(B) The operator requests in writing and obtains a storage time extension from the division.

(C) The operator is conducting a recurring collection program and does not accumulate more than 3,000 kilograms of hazardous household waste and does not store the waste longer than 180 days.

(2) A label shall be maintained on all containers in which hazardous household waste is stored and shall indicate:

(A) composition and physical state of the waste;

(B) special safety recommendations and precautions for handling the waste;

(C) statement(s) which call attention to the particular hazardous properties of the waste; and

(D) date of acceptance at the collection center.

(3) Records for storage of all hazardous household wastes shall be maintained, to include all the information necessary to complete manifests for the wastes. (Copies of manifests may be used in lieu of a separate record).

(g) Requirements for Hazardous Waste Facilities. Facilities which qualify as hazardous waste processing, storage or disposal facilities and whose owners and operators comply with the notification requirements of §335.406(d) of this title (relating to General Requirements for Collectors and Operators) are not subject to the requirements of this section, except for the requirements of subsection (c) of this section with respect to personnel; subsection (d) of this section with respect to disposal of cleanup materials and protective clothing used during a spill cleanup; and subsections (f)(2) and (3) of this section with respect to container labeling and recordkeeping.

§335.408. Household Pick-Up.

Collectors or operators offering point of generation pick-up service for hazardous household waste that has been segregated from other household waste shall:

(1) develop and implement a collection program that minimizes the potential for human and animal exposure to such waste (unless the pick-up procedures involve personal contact with the generator, the collector shall provide instructions to households on details of packaging, labeling, securing and any other procedures to safeguard humans and animals and to protect the environment);

(2) have a person in each crew that has experience and training in handling hazardous waste, including waste classification, waste incompatibility, spill prevention, and clean-up safety; and

(3) deliver such waste to a collection center to be aggregated with other hazardous household waste, to a transporter's facility or to a hazardous waste processing, storage, or disposal facility that is authorized by the commission to accept hazardous household waste.

§335.409. General Shipping, Manifesting, Recordkeeping, and Reporting Requirements.

Except for those collected reusable materials handled in accordance with the requirements of §335.410 of this title (relating to Reuse of Collected Material) and waste received at the center, which can be disposed of at a municipal solid waste facility in accordance with the requirements of §335.407 of this title (relating to Operation of Collection Centers), persons who collect, receive, or aggregate hazardous household waste shall:

(1) when transporting or shipping such waste from a collection center or from a transporter's facility, utilize only hazardous waste transporters who have notified the commission with respect to transportation of hazardous waste, who have notified the U.S. Environmental Protection Agency of their involvement in transporting hazardous waste, and who have been issued an Environmental Protection Agency identification number;

(2) transport or ship such waste only to receivers who qualify as hazardous waste processing, storage or disposal facilities, that have agreed to accept the waste, and that have authorization to receive such wastes;

(3) assure, prior to offering such waste for shipment, that such waste is packaged and labeled so as to comply with applicable U.S. Department of Transportation (DOT) requirements and to comply with the requirements contained in §335.10 of this title (relating to Shipping and Reporting Procedures Applicable to Generators of Municipal Hazardous Waste or Class I Industrial Solid Waste);

(4) retain for at least one year from the date of shipment copies of all manifests utilized for the shipment of such waste; and

(5) provide, within 30 days of receiving the completed copy of such manifests showing the signature of the receiver and date of receipt, a copy of the completed manifest to the division, or in those cases where the person shipping the waste is the owner or operator of a hazardous waste processing, storage or disposal facility, to the commission.

§335.410. Reuse of Collected Material.

Any material collected or accepted at a collection center in its original container with a legible label or that is otherwise readily identifiable and which has been determined by the collector or operator to be in a usable condition may be removed from the aggregated hazardous household waste and provided to a governmental entity, institution or other responsible party for use.

§335.411. General Requirements for Transporters.

(a) No person shall transport any hazardous household waste required by this subchapter to be accompanied by a uniform hazardous waste manifest obtained from the commission unless such person:

(1) has notified the Texas Water Commission with respect to such transportation activities in accordance with the requirements contained in §335.6(e) of this title (relating to Notification Requirements);

(2) has notified the U.S. Environmental Protection Agency as to his or her transporter status, and has been issued an Environmental Protection Agency Identification Number;

(3) complies with the requirements outlined in §335.11 of this title (relating to Shipping Requirements for Transporters of Municipal Hazardous Waste or Class I Industrial Solid Waste) with respect to all manifested household waste;

(4) complies with the requirements outlined in §335.14 of this title (relating to Recordkeeping Requirements Applicable to Transporters of Municipal Hazardous Waste or Class I Industrial Solid Waste) with respect to all manifested household waste; and

(5) complies with the requirements of paragraphs (1)-(3) of §335.4 of this title (relating to General Prohibitions) with respect to all waste accepted or handled.

(b) Transporters engaged in point of generation pick-up of hazardous household waste, who operate or intend to operate hazardous household waste collection centers, or who otherwise handle or accept unmanifested hazardous household waste are subject to all the requirements of this subchapter set forth for collectors and shall comply with paragraphs (1)-(4) of this subsection.

(1) Prior to engaging in such activity, notify and submit a plan to the division in accordance with §335.406 of this title (relating to General Requirements for Collectors and Operators).

(2) All activities to collect and/or aggregate hazardous household waste shall be in accordance with rules of this subchapter applicable to collectors and operators and written instructions from the division.

(3) All hazardous household waste accumulated by the transporter shall be kept separate and apart from hazardous waste or Class I industrial solid waste as defined in the Texas Solid Waste Disposal Act, Texas Civil Statutes, Article 4477-7, which may be accumulated at a transporter's facilities.

(4) Transporters performing service under this subsection shall comply with requirements specified for operators or collectors engaged in similar activities.

§335.412. General Requirements for Processing, Storage or Disposal Facilities.

Owners or operators of hazardous waste processing, storage or disposal facilities may receive manifested shipments of hazardous household waste or other household waste provided they:

(1) comply with the requirements of §335.12 of this title (relating to Shipping Requirements Applicable to Owners or Operators of Storage, Processing, or Disposal Facilities) with respect to all manifested wastes received;

(2) comply with the requirements of §335.15 of this title (relating to Recordkeeping and Reporting Requirements Applicable to Owners or Operators of Storage, Processing, or Disposal Facilities) with respect to all manifested wastes received;

(3) handle on-site all received or aggregated hazardous household waste in the same manner as if the waste were defined as a hazardous waste under the Texas Solid Waste Disposal Act, Texas Civil Statutes, Article 4477-7;

(4) comply with the requirements of paragraphs (1)-(3) of §335.4 of this title (relating to General Prohibitions) with respect to all waste received; and

(5) obtain written authorization from the commission to receive hazardous household waste.

This agency hereby certifies that these sections have been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

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